

Nebraska Public Service Commission

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SEP 27 2005

FCC - MAILROOM

September 23, 2005

Marlene H. Dortch
Office of the Secretary Federal Communications Commission
Federal Communications Commission
445 12th Street, S. W. Room TW-A305
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Irene M. Flannery
Vice President, High Cost & Low Income Division
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, DC 20036

RE: Certification of High Cost Support for Rural Carriers Pursuant to 47 CFR
Section 54.314, CC Docket No. 96-45

Dear Ms. Dortch and Ms. Flannery:

The Public Service Commission of Nebraska hereby certifies that all federal high cost support provided to rural carriers in this state will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act of 1934, as amended. This includes High Cost Loop support (HCL), Local Switching Support (LSS), and high cost support received pursuant to the purchase of exchanges.

Attached is Application No. NUSF-25, Progression Order No. 13, as approved by the Nebraska Public Service Commission on September 21, 2005, listing those rural carriers certified pursuant to section 54.314 of the FCC's rules (47 CFR § 54.314), which requires States to establish an annual certification process for rural carriers receiving federal high cost support. Additionally, as requested by the Universal Service Administrative Company, a listing of each carrier being certified to receive federal high cost support and the carriers' assigned study area code (SAC), has been included as an attachment to this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gerald L. Vap".

Gerald L. Vap
Chairman

GLV/jlp/bz

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Application No. NUSF-25, Progression Order No. 13
 Federal High Cost Support - Study Area by Carrier

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| <u>COMPANY NAME</u> | <u>STUDY AREA CODE</u> |
|----------------------------------------------------------------------|------------------------|
| Allo Communications | Not Known |
| ALLTEL | 371568 |
| Arapahoe Telephone (ATC Communications) | 371516 |
| Arlington Telephone Company | 371517 |
| Benkelman Telephone Company | 372455 |
| Blair Telephone Company | 371525 |
| Cambridge Telephone Company | 371526 |
| Citizens Telecommunications | 371128 |
| Clarks Telecommunications Co. | 371531 |
| Consolidated Telco, Inc. | 371530 |
| Consolidated Telecom, Inc. frmly Home Telephone and Eustis Telephone | 371562 371545 |
| Consolidated Telephone Co. | 371532 |
| Cozad Telephone Co. | 371534 |
| Curtis Telephone Co. | 371536 |
| Dalton Telephone Co. | 371537 |
| Diller Telephone Co. | 371540 |
| Eastern Nebraska Telephone Co. | 371542 |
| Elsie Telephone Co. | 371518 |
| Glenwood Telephone | 371553 |
| Golden West Telecommunications Coop | 391659 |
| Great Plains Communications | 371577 |
| Hamilton Telephone Co. | 371555 |
| Hartington Telecommunications Co. | 371556 |
| Hartman Telephone | 371557 |
| Hemingford Cooperative | 371558 |
| Henderson Cooperative | 371559 |

| | |
|----------------------------------------------|-----------|
| Hershey Cooperative | 371561 |
| Hooper Telephone Company dba WestTel | 371563 |
| Huntel Cablevision dba Huntel Communications | Not Known |
| K&M Telephone Company | 371565 |
| Keystone-Arthur Telephone | 371567 |
| Nebraska Central Telephone | 371574 |
| Nebraska Technology and Telecommunications | 379004 |
| Northeast Nebraska Telephone | 371576 |
| Orbitcom, Inc. | 379009 |
| Pierce Telephone Co. | 371581 |
| Pinpoint Communications | 379003 |
| Plainview Telephone | 371582 |
| Qwest Corporation | 375143 |
| Rock County Telephone | 371586 |
| Sodtown Telephone | 371590 |
| Southeast Nebraska Telephone | 371591 |
| Sprint Corporation | 371595 |
| Stanton Telecom, Inc. | 371592 |
| Three River Telephone Co. | 371525 |
| Vivian Telephone | 391686 |
| Wauneta Telephone | 371597 |

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) APPLICATION NO. NUSF-25
Public Service Commission, on)
its own motion, seeking to)
establish guidelines for the) Progression Order No. 13
purpose of certifying the use of)
federal universal service)
support.) Entered: September 21, 2005

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

1. The Commission has established self-certification as its process for verifying whether all federal high-cost support will be used for its intended purpose, pursuant to 47 C.F.R. § 54.314 and CC Docket No. 96-45. See Application No. NUSF-25, Progression Order #1 (August 21, 2001). Progression Order #5 in this docket required each rural incumbent local exchange carrier and/or eligible telecommunications carrier to file a notarized copy of an affidavit certifying whether federal high-cost support is being used consistent with section 254(e) of the Telecommunications Act of 1996, on or before September 1 of each year.

2. On October 27, 2003, the Federal Communications Commission (FCC) released its Order on Remand, Further Notice of Proposed Rulemaking, and Memorandum Opinion and Order in CC Docket 96-45, FCC 03-249 (Order on Remand). In that Order, the FCC expanded the state certification process. Each state is required to review its rates in rural, high-cost areas served by non-rural carriers annually to assess the comparability of those rates to urban rates nationwide. States are required to file a certification with the FCC by October 1st annually, stating whether its rates are reasonably comparable to nationwide urban rates, or in the alternative, explain why they are not.

3. The Commission finds that the following carriers filed properly completed affidavits regarding the use of federal high cost support:

Allo Communications, LLC
Alltel Communications
Arapahoe Telephone Company dba ATC Communications
Arlington Telephone Company
Benkelman Telephone Company, Inc.
Blair Telephone Company

Cambridge Telephone Company
Citizens Telecommunications Company of Nebraska, Inc.,
 aka Frontier
Clarks Telecommunications Company
Consolidated Telco, Inc.
Consolidated Telecom, Inc.
Consolidated Telephone Company
Cozad Telephone Company
Curtis Telephone Company, Inc.
Dalton Telephone Company, Inc.
Diller Telephone Company
Eastern Nebraska Telephone Company
Elsie Communications, Inc.
Glenwood Telephone Membership Corporation
Golden West Telecommunications Cooperative, Inc.
Great Plains Communications, Inc.
Hamilton Telephone Company
Hartington Telecommunications Company, Inc.
Hartman Telephone Exchanges Inc.
Hemingford Co-operative Telephone Company
Henderson Cooperative Telephone Company
Hershey Cooperative Telephone Company
Hooper Telephone Company dba WestTel Systems
Huntel Cablevision dba Huntel Communications
K & M Telephone Company, Inc.
Keystone-Arthur Telephone Company
Nebraska Central Telephone Company
Nebraska Technology and Telecommunications, Inc.
Northeast Nebraska Telephone Company
Orbitcom, Inc.
Pierce Telephone Company, Inc.
Pinpoint Communications
Plainview Telephone Company, Inc.
Qwest Corporation
Rock County Telephone Company
Sodtown Telephone Company
Southeast Nebraska Telephone Company
Sprint Corporation
Stanton Telecom, Inc.
Three River Telco
Vivian Telephone Company
Wauneta Telephone Company

4. Accordingly, the Commission will provide certification to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. NUSF-25

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that the above-listed carriers will use federal high-cost support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in accordance with section 254(e) of the Telecommunications Act of 1996, as amended.

5. In addition, the Commission finds that the following non-rural carrier(s) charge rural rates which fall below the safe harbor and which are therefore presumably reasonably comparable:

Alltel Communications (Alltel)
Qwest Communications Corporation (Qwest)

6. Accordingly, the Commission will provide certification to the Federal Communications Commission and Administrator of the federal high-cost universal service support mechanisms that the rates of the above-listed carrier(s) are reasonably comparable.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the affidavits filed by the above-referenced carriers are accepted.

IT IS FURTHER ORDERED that the NUSF Department certify to the Federal Communications Commission that the above-listed non-rural carriers are charging rates reasonably comparable to the nationwide urban rate benchmark as described herein.

MADE AND ENTERED at Lincoln, Nebraska this 21st day of September, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Louise Johnson

Rene E. Boyle

Red Johnson

//s// Frank E. Landis

//s// Gerald L. Vap

Chairman

Gerald L. Vap

ATTEST:

Adrian Pollack

Executive Director